

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Xtra Care Inc.,

Plaintiff,

v.

Birkshire Hathaway et al.,

Defendants.

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Case No. 24-cv-120 PJS/ECW

**ORDER**

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Elizabeth Cowan Wright dated March 22, 2024, all the files and records, and no objections having been filed to said Report and Recommendation, **IT IS HEREBY ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE** under Fed. R. Civ. P. 41(b) for failure to prosecute.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: 4/22/24

s/Patrick J. Schiltz  
PATRICK J. SCHILTZ  
United States Chief District Judge